

REMARKS/ARGUMENTS

Claims 1-5 stand rejected and claim 6 is objected to. By this amendment, claims 1-6 have been amended. The amendments made to the claims do not alter the scope of the claims, nor these amendments are made to define over the prior art. Rather, the amendments to the claim were made to improve the form thereof. In light of the amendments and the remarks set forth below, Applicants respectfully submit that each of the pending claims is in condition for immediate allowance.

The Examiner notes that the references in the International Search Report have not been considered. Applicant submits herewith an information disclosure statement including a list of the references on a form PTO SB/08a. Applicants request that the Examiner review the references cited therein, initial and return the SB/08a form.

The Examiner has objected to the disclosure for lacking appropriate headings. Applicant has amended the specification to include headings. Withdrawal of this rejection is therefore requested.

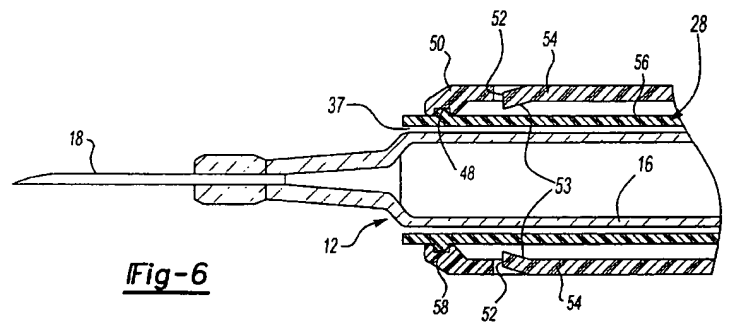
Claim 6 was objected to for being in improper dependent form. Applicants have amended the claims so that claim 6 is no longer a multiple dependent claim depending from another multiple dependent claims. Withdrawal of this objection is therefore requested.

Claims 1-5 stand rejected under 35 USC § 102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0156426 ("Gagnieux"). Applicant respectfully traverses this rejection.

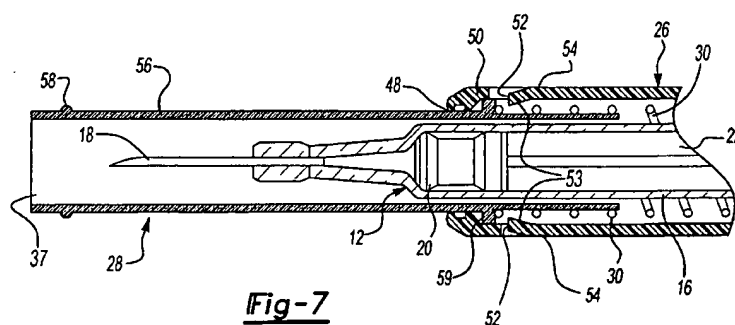
Among the limitation of independent claim 1 not present in Gagnieux is "first retaining means arranged at the proximal end part of the sleeve [and] second retaining means arranged at the proximal end part of the sleeve."

As shown for example in Figure 1 of the present specification, the first retaining means (8, 10, 12, 13) and second retaining means (8, 14-17) are arranged at the proximal end of the protective sleeve 6, i.e. the end opposite the needle.

In contrast, Gagnieux discloses a retaining means arranged at the distal end of the syringe body. Specifically, as shown in Figure 6 of Gagnieux reproduced below, in the injection state a circumferential rib 58 locks into circumferential groove 48 at a distal end of shield 28.



In the post-injection state, shown in Fig. 7 of Gagnieux reproduced below, the tubular body 56 is pushed past detent 52 at the distal end of tubular holder 26 by spring 30 that presses against stop member 59. Thus, the tubular sleeve is retained between wall 50 and detent 52 at the distal end of tubular holder 26.



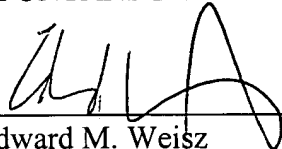
To move the tubular body from the injection state to the post-injection state, sufficient force is applied to the tubular body 56 at the proximal end to dislodge circumferential rib 58 from circumferential groove 48. Thus, Gagnieux fails to disclose the explicitly recited first and second

retaining means arranged at the proximal end part of the sleeve. Thus, claim 1 is allowable over Gagnieux.

Claims 2-6 depend from, and contain all the limitations of claim 1. These dependent claim also recite additional limitations which, in combination with the limitations of claim 1 are neither disclosed nor suggested by Gagnieux and are also directed toward patentable subject matter. Thus, claims 2-6 should be allowed.

Respectfully submitted,
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By



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